

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:08-cr-88

v.

HON. JANET T. NEFF

RONNIE MELVIN FLOWERS,

Defendant.

/

MEMORANDUM OPINION AND ORDER

Defendant Ronnie Melvin Flowers has filed a motion for modification or reduction of sentence (Dkt 115) pursuant to 18 U.S.C. §3582(c)(2) on the basis of Amendment 782 of the United States Sentencing Guidelines, made retroactive by the Sentencing Commission. The U.S. Probation Department has filed a Sentence Modification Report (Dkt 125) finding Defendant eligible. Defendant has filed a Response (Dkt 127) and the Government has also filed a response (Dkt 128).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 782 of the United States Sentencing Guidelines reduced by two levels the offense levels assigned to the quantities that trigger the statutory mandatory minimum penalties in U.S.S.G. §§ 2D1.1 and 2D1.11. These modifications were made retroactive effective November 1, 2014. U.S.S.G. § 1B1.10.

Having fully considered the Sentence Modification Report (Dkt 125), the Defendant's response (Dkt 127) and the Government's response (Dkt 128), the Court has determined that the

defendant is eligible for a reduction of sentence according to the policy statements of the U.S. Sentencing Commission.

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 115) pursuant to 18 U.S.C. § 3582(c)(2) is GRANTED. Defendant's sentence is reduced to a total of 153 months imprisonment. This sentence consists of 120 months imprisonment on Count 2 and 33 months imprisonment on Count 3 to be served consecutive.

DATED: November 18, 2015

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge